

**SIXTY-SECOND DAY.**

Senate Chamber,  
Austin, Texas,  
April 20, 1931.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Thomason.
Hornsby.	Williamson.
Loy.	Woodruff.
Martin.	Woodul.
Moore.	Woodward.
Neal.	

Absent—Excused.

Patton. Stevenson.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

**Petitions and Memorials.**

(see appendix).

**Committee Reports.**

(see appendix).

**Bills and Resolutions.**

By an affirmative vote of four-fifths of the membership of the Senate, the constitutional rule relating to the introduction of General Bills during the last 60 days of the session was suspended and consent was granted to introduce the following Bills:

By Senators Purl and Rawlings:  
S. B. No. 604, A bill to be entitled "An Act To create and establish Trinity River Canal & Conservatory District under authority of Section 59 of Article XVI of the Constitution of Texas, to be a governmental agency, a body politic, municipal and corporate; also stating the intent and defining certain words and expressions as used in this Act; and declaring an emergency."

Read and referred to Committee on State Affairs.

By Senator Cunningham:

S. B. No. 605, A bill to be entitled "An Act authorizing the State Comptroller of Public Accounts, and the State Treasurer to cancel off their books outstanding and unpaid warrants issued prior to September 1, 1927, and directing the method of payment of same and declaring an emergency."

Read and referred to Committee on State Affairs.

**Messages From the House.**

Hall of the House of Representatives,  
Austin, Texas, April 20, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolutions: S. C. R. No. 32. Recalling Senate Bill No. 102 from the Governor's office for correction.

House Simple Resolution recalling Senate Bill No. 371 from the Senate for correction.

Respectfully submitted,

LOUISE SNOW, PHINNEY,  
Chief Clerk, House of Representatives.

Hall of the House of Representatives  
Austin, Texas, April 20, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has concurred in Senate Amendments to H. B. No. 656 by a viva voce vote.

The House has passed the following bill:

H. B. No. 332, A bill to be entitled "An Act to amend Section 16a of Article 8308, Revised Statutes of 1925, so as to hereafter provide that whenever the Texas Employers' Insurance Association shall have accumulated, at the end of any calendar year, an admitted surplus in excess of incurred losses, expenses and unearned premiums or other liabilities amounting to the sum of two hundred thousand dollars or more, the liability of its members to assessment under Article 8308, Section 15 shall be suspended and it shall be authorized to issue policies not subject to assessment, etc., and declaring an emergency."

Respectfully submitted,

LOUISE SNOW, PHINNEY,  
Chief Clerk, House of Representatives.

**House Bill Referred.**

H. B. No. 332 referred to Committee on Insurance.

**Motions to Set Special Order.**

Senator Williamson received unanimous consent to have S. B. No. 31 set as special order Tuesday morning immediately following the morning call.

Senator Woodruff moved to set S. B. No. 187 as special order Friday morning following special orders already set. The motion prevailed by the following vote:

Yeas—17.

Beck.	Oneal.
Berkeley.	Parrish.
Cunningham.	Poage.
Gainer.	Rawlings.
Greer.	Russek.
Hardin.	Small.
Loy.	Thomason.
Moore.	Woodruff.
Neal.	

Nays—8.

Cousins.	Hornsby.
DeBerry.	Martin.
Holbrook.	Stevenson.
Hopkins.	Woodul.

Absent.

Parr.	Williamson.
Purl.	Woodward.

Absent—Excused.

Patton.	Pollard.
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Senator Thomason moved to set S. B. No. 127 as special order Friday morning following S. B. No. 187. The motion prevailed by the following vote:

Yeas—16.

Beck.	Parr.
Berkeley.	Russek.
Cousins.	Small.
Greer.	Stevenson.
Holbrook.	Thomason.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Nays—8.

DeBerry.	Poage.
Hornsby.	Purl.
Oneal.	Rawlings.
Parrish.	Williamson.

**Absent.**

Cunningham.	Hopkins.
Gainer.	Loy.
Hardin.	

Absent—Excused.

Patton.	Pollard.
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Senator Holbrook moved to set S. B. No. 53 as special order Friday morning immediately following S. B. No. 127. The motion was lost by the following vote:

Yeas—14.

Beck.	Purl.
Cousins.	Small.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Moore.	Woodruff.
Neal.	Woodul.
Parr.	Woodward.

Nays—13.

Cunningham.	Martin.
DeBerry.	Oneal.
Gainer.	Parrish.
Greer.	Poage.
Hardin.	Rawlings.
Hopkins.	Russek.
Loy.	

Present—Not Voting.

Williamson.

Absent.

Berkeley.

Absent—Excused.

Patton.	Pollard.
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(Two-thirds vote required.)

**Bills Signed.**

The Chair, Lieut. Gov. Edgar E. Witt gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills and resolutions:

H. B. 956.	H. B. 656.
H. B. 844.	

**S. J. R. No. 28.**

The Chair laid before the Senate by unanimous consent the following bill:

By Neal.	S. J. R. No. 28.
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**A Joint Resolution.**

Proposing an amendment to the Constitution of Texas, by adding to Article 16 another Section, Section 60, so as to authorize a Texas Cen-

ennial, commemorating the heroic period of early Texas History, and to celebrate a century of our independence and progress, times, places and manner thereof to be provided by the Legislature; authorizing an appropriation to be made therefor; providing for an election upon such proposed amendment, and making an appropriation therefor.

Read second time.

Senator Neal sent up the following amendment:

Amend S. J. R. No. 28 by inserting in Sec. 4, line 45, the words and figures "Five Thousand (\$5,000.00) Dollars."

NEAL.

Read and adopted.

The resolution was passed to engrossment by the following vote:

Yeas—18.

Beck.	Neal.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.

Nays—5.

Cunningham.	Poage.
DeBerry.	Woodward.
Parrish.	

Absent.

Berkeley.	Oneal.
Cousins.	Parr.
Hopkins.	Small.

Absent—Excused.

Patton.	Pollard.
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#### Motions to Set Special Order.

Senator Woodward moved to set S. B. No. 93 as special order Friday morning following S. B. No. 127. The motion prevailed by the following vote:

Yeas—19.

Beck.	Martin.
Cunningham.	Moore.
Gainer.	Neal.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Loy.	Stevenson.

Thomason.  
Williamson.  
Woodruff.

Woodul.  
Woodward.

Nays—3.

DeBerry.  
Hornsby.

Poage.

Absent.

Berkeley.  
Cousins.  
Hopkins.  
Oneal.

Parr.  
Parrish.  
Small.

Absent—Excused.

Patton.

Pollard.

Senator Purl moved to set S. B. No. 218 as special order Friday morning following S. B. No. 93. The motion prevailed by the following vote:

Yeas—19.

Beck.	Parr.
Cunningham.	Parrish.
Hardin.	Purl.
Holbrook.	Rawlings.
Hopkins.	Stevenson.
Loy.	Thomason.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.
Oneal.	

Nays—4.

DeBerry.	Hornsby.
Gainer.	Poage.

Present—Not Voting.

Williamson.

Absent.

Berkeley.	Russek.
Cousins.	Small.
Greer.	

Absent—Excused.

Patton.	Pollard.
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Senator Woodward moved to set S. B. No. 33 as special order next Monday morning immediately following the morning call. The motion prevailed by the following vote:

Yeas—19.

Beck.	Loy.
Greer.	Martin.
Hardin.	Moore.
Holbrook.	Neal.
Hopkins.	Oneal.

Parr.	Thomason.
Purl.	Woodruff.
Russek.	Woodul.
Small.	Woodward.
Stevenson.	

Nays—7.

Cunningham.	Parrish.
DeBerry.	Poage.
Gainer.	Rawlings.
Hornsby.	

Present—Not Voting.

Williamson.

Absent.

Berkeley.	Cousins.
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Absent—Excused.

Patton.	Pollard.
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Senator Russek moved to set S. B. Nos. 327, 329, 240, 330, and 324 as special orders Tuesday morning following S. B. No. 31.

Division of the question was called for.

Senator Russek moved to have S. B. No. 240 set. The motion prevailed by the following vote:

Yeas—20.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Pollard.
Gainer.	Rawlings.
Greer.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Nays—4.

DeBerry.	Poage.
Hornsby.	Purl.

Present—Not Voting.

Williamson.

Absent.

Cunningham.	Oneal.
Hardin.	Thomason.
Loy.	

Absent—Excused.

Patton.

Senator Russek moved to set S. B. No. 327 following S. B. No. 240. The motion prevailed by the following vote:

Yeas—23.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Pollard.
Gainer.	Rawlings.
Greer.	Russek.
Hardin.	Small.
Holbrook.	Stevenson.
Hopkins.	Thomason.
Loy.	Woodruff.
Martin.	Woodul.
Moore.	Woodward.
Neal.	

Nays—4.

DeBerry.	Poage.
Hornsby.	Purl.

Present—Not Voting.

Williamson.

Absent.

Cunningham.	Oneal.
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Absent—Excused.

Patton.

**S. C. R. No. 34.**

Senator Moore sent up the following resolution:

Whereas, Senate Bill No. 102, which was recalled from the Governor's desk to correct a typographical error, has been received by the Senate, and

Whereas, The word "aid" appeared in Section 11 of the bill instead of the word "said," which error would invalidate said bill, therefore be it

Resolved, By the Senate, the House of Representatives concurring, that the Enrolling Clerk of the Senate be and he is hereby authorized to correct the typographical error above referred to.

MOORE,  
RUSSEK.

Read and adopted.

**Request to Return S. B. No. 371.**

The Senate granted the request of the House for the return of S. B. No. 371 for further consideration.

**House Bill No. 335.**

The question recurred upon the following amendment to the amendment to H. B. No. 335.

Amend the amendment to H. B. No. 335 by striking out from and including the word "a" in line 22, page 3, to the end of line 36.

WOODRUFF.

**Recess.**

On motion of Senator Russek, the Senate, at 12:03 o'clock, recessed until 2 o'clock p. m.

**After Recess.**

The Senate met at 2 o'clock p. m. pursuant to recess, and was called to order by Lieutenant Governor Edgar E. Witt.

**House Bill No. 335.**

The question recurred upon the pending amendment to the amendment. The amendment to the amendment was lost by the following vote:

Yeas—5.

Cousins.	Russek.
Cunningham.	Woodruff.
Holbrook.	

Nays—19.

Beck.	Parrish.
Berkeley.	Poage.
Gainer.	Rawlings.
Hardin.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Moore.	Woodul.
Oneal.	Woodward.
Parr.	

Absent.

DeBerry.	Neal.
Greer.	Pollard.
Martin.	Purl.

Absent—Excused.

Patton.

**REASON FOR VOTE.**

I offered the foregoing amendment for the reason that I am opposed to granting exclusive franchises to persons, firms or corporations to operate motor vehicles for hire over the highways of this State. The "Certificate of Public Convenience and Necessity" clause in practice amounts to an exclusive franchise. That ought not to be the policy in this State.

**WOODRUFF.**

The question recurred upon the following amendment to the amendment:

Amend the Substitute Amendment by striking out Sec. 20, page 10.

**WOODWARD.**

Read and adopted by the following vote:

Yeas—14.

Beck.	Parr.
Berkeley.	Pollard.
Cousins.	Russek.
Gainer.	Stevenson.
Holbrook.	Thomason.
Hopkins.	Woodul.
Moore.	Woodward.

Nays—11.

Cunningham.	Poage.
DeBerry.	Rawlings.
Hornsby.	Small.
Loy.	Williamson.
Oneal.	Woodruff.
Parrish.	

Absent.

Greer.	Neal.
Hardin.	Purl.
Martin.	

Absent—Excused.

Patton.

The question recurred upon the following amendment to the amendment:

Amend Substitute to H. B. No. 335 by striking out all of Section 24.

**WILLIAMSON.**

Read and adopted.

Senator Poage sent up the following amendments to the amendment:

Amend the pending amendment, page three (3), line thirty-six (36), by striking out the period at the end of the line and adding the following:

"but no certificate shall be issued authorizing the operation of a class "B" motor carrier in this State after the first day of September, 1931, and on and after the date no common carrier shall operate in this State save and except under a previously defined route or routes and on a definitely defined time schedule."

**POAGE.**

Read and lost.

Amend the pending amendment, page eight (8), line twenty-seven (27), by striking out everything beginning with the word "but" and extending to the word "Act" in line twenty-eight (28), and inserting in lieu thereof the following:

"and to enforce all existing traffic and highway laws."

POAGE.

Read and adopted.

Senator Woodruff sent up the following amendment to the amendment.

Amend the amendment to H. B. No. 335. by adding at the end of subsection (d) of section 7, the following:

"Provided, that the Railroad Commission shall never approve the sale or transfer of any certificate to a non-resident, or foreign person, firm, co-partnership, association, or corporation, by anyone, resident or non-resident, and provided further than any stock in any corporation operating motor vehicle for hire over the highways of this State owned by a non-resident person, firm, co-partnership, association or corporation shall be "non-voting stock."

WOODRUFF.

Read and adopted by the following vote:

Yeas—15.

Cunningham.	Pollard.
DeBerry.	Purl.
Greer.	Russek.
Holbrook.	Small.
Hornsby.	Thomason.
Loy.	Williamson.
Oneal.	Woodruff.
Poage.	

Nays—13.

Beck.	Parr.
Berkeley.	Parrish.
Cousins.	Rawlings.
Hardin.	Stevenson.
Hopkins.	Woodul.
Martin.	Woodward.
Moore.	

Present—Not Voting.

Gainer.

Absent.

Neal.

Absent—Excused.

Patton.

#### Free Conference Report.

Senator Small sent up the following Free Conference Committee report:

Austin, Texas, April 20, 1931.

Hon. Edgar E. Witt, President of the Senate.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sirs: We, your Free Conference

Committee on H. B. No. 474 have had same under consideration and recommend to the House and to the Senate the adoption of the attached bill.

Respectfully submitted.

SMALL,  
PARRISH,  
WOODWARD,  
POLLARD,  
HOPKINS.

On part of the Senate.

ADKINS,  
POPE,  
WAGSTAFF,  
STEVENSON,  
BEDFORD.

On part of the House.

#### A BILL

##### To Be Entitled

An Act to validate and confirm the title to homestead donations of preemption surveys to the original grantees, their heirs or their assignees in all cases where use and occupancy for a period of twenty-five years prior to the passage of this Act can be shown, and to require the issuance of patents and to declare an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. Preemption surveys or homestead donations in all cases where use and occupancy can be shown for a period of twenty-five years prior to the passage of this Act are hereby validated and the title thereto confirmed to the original grantees, their heirs or their assigns, and the Commissioner of the Land Office is hereby authorized and required to issue patents in accordance with the statute providing for the issuance of patents.

Sec. 2. The difficulty in perfecting earlyday titles and the fact that such titles ought to be confirmed and the surveys validated and the crowded condition of the calendar creates an imperative public necessity requiring the Constitutional Rule which provides that all bills be read on three several days should be suspended and is hereby suspended, and this Act shall take effect and be in force from and after its passage and it is so enacted.

Read and ordered printed in the Journal.

**Simple Resolution No. 113.**

Senator Hornsby sent up the following resolution:

Whereas the Austin Chamber of Commerce has invited the members of the legislature and their ladies to a dance in their honor, to be given at the Stephen F. Austin, Hotel Roof on Tuesday evening, April 21st, at 8:30 'oclock, and

Whereas this affords an opportunity for the Senators, Representatives and Ladies to become better acquainted with the Austin people who are to be their hosts, and

Whereas the occasion is sure to be a most enjoyable one, with good music, refreshments and choice companions,

Therefore, Be It Resolved by the Senate of Texas: that each and every member set this date aside and make arrangements to attend this function in order to show their appreciation for the cordial invitation, and to enjoy what will be a memorable occasion.

HORNSBY.

Read and adopted.

**Messages from the House.**

Hall of the House of Representatives,  
Austin, Texas, April 20, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has adopted the Free Conference Committee Report on H. B. No. 547 by a vote of 71 yeas and 59 nays.

Sir: I am directed by the House to inform the Senate that the House has reconsidered the vote by which S. B. No. 371 passed finally and passed the bill finally by a vote of 109 yeas and 2 nays.

S. B. No. 371, A bill to be entitled "An Act providing for and directing the taxation of mineral rights in public school lands sold by the State with a mineral reservation against the owner while said lands are under lease by the owner of the soil as the State's agent, providing the means assessments and collections, and declaring an emergency."

Respectfully submitted,

LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

Hall of the House of Representatives,  
Austin, Texas, April 20, 1931.  
Hon. Edgar E. Witt President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has refused to concur in Senate Amendments to House Bill No. 185 and requests the appointment of a conference committee to adjust the differences between the two Houses. The following are appointed on the part of the House:

METCALFE,  
MURPHY,  
JOHNSON of Dimmitt,  
MATHIS,  
FINN.

Respectfully submitted,

LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

**S. C. R. No. 35.**

Senator Oneal sent up the following resolution:

Whereas, the tax laws of the State of Texas are a series of separate and in many instances incoherent measures enacted at different times and are not when taken as a whole grounded on a sound and fair basis as to the various taxable values existing within the State; and,

Whereas, the growth of new industries in the State and the change in conditions of other industries and taxable values in the State demand a careful study of conditions as they now exists to the end that taxation may be equalized within the spirit that provides in the State Constitution that "taxes shall be equal and uniform"; and,

Whereas, owing to the importance and magnitude of this subject it is impracticable and impossible at the present session of the Legislature fairly to consider and readjust and equalize the taxes; and,

Whereas, there is a general demand over the State for a fair and just equalization of the taxes that must be levied to provide and legislation necessary to the proper and economical operation of the State Government; therefore be it

Resolved by the Senate of Texas, the House of Representatives concurring:

That a committee of seven persons, to be known as the Legislative Tax

Survey Committee, be created, as follows:

The President of the Senate shall appoint as members of this Committee, three members of the Senate, and the Speaker of the House of Representatives shall appoint as members of this Committee, four members of the House.

That the duties of the Committee shall be prescribed generally as follows:

The Committee, if appointed before this Session of the Legislature adjourns, shall meet in the Capitol in Austin before the Session of this Legislature adjourns, otherwise within thirty days thereafter, and shall organize by electing one of its members chairman and another secretary, and such other officers as may be necessary; and shall at said meeting determine upon and fix a place and a date within sixty (60) days thereafter for its next business meeting.

The Committee shall adopt such rules and regulations as are necessary to carry out the provisions of this Resolution.

The Committee shall be provided with a Committee room in the Capitol in Austin and its sessions shall be open to the public except at such times as the Committee may by majority vote determine to hold an executive session.

The Committee shall begin its work within sixty (60) days after adjournment of the Regular Session of the 42nd Legislature and shall continue its sessions and investigations as may be determined by a majority vote of the Committee until its work has been completed; but it shall conclude its investigations and make its report to the regular session of the 43rd Legislature or to some Special Session of the 42nd Legislature, if such Session is called by the Governor for the purpose of receiving and considering report of the Committee.

The Committee herein provided shall have free access to all books and records in the several departments of the State Government and of any other political subdivision of the State.

The Committee shall also have the power to require from all persons firms and corporations in this State,

such information as it may desire with reference to the properties and tax burdens being borne by same.

The Committee shall have the power to issue such process as necessary to compel the attendance of witnesses or production of books, records or other information as may be desired by it in the proper discharge of its duties.

The Committee shall make a careful study of the subject of revenue and taxation with special reference to the problems presented in Texas and with special reference to the comparative burdens of taxes as borne by the various industries and taxable values. And the Committee may secure information as to the revenue and taxation laws and the effects of its laws in other States; and may gather such other information and study the same as in the opinion of the Committee will aid in arriving at a fair plan of taxation in the State of Texas.

The Committee shall have power and authority to employ and compensate all necessary experts, investigators, stenographers and other clerical help and it shall be the duty of said Committee to make and keep a record of its investigations and of all funds expended by it and to whom paid and the amounts thereof. It shall not be the duty however of said Committee to keep a stenographic report of all information or investigations made by it but it shall have the authority to keep such record as it may deem advisable.

The report of the Committee, as herein provided, shall make such recommendations, as to legislation, as may, in its judgment, be necessary to secure sufficient funds for a proper and economical administration of the departments of government, education and eleemosynary institutions and as will, as nearly as possible, fairly and equitably and impartially distribute such burdens against its citizens and their property and make a reality of the Constitutional provision that "taxes shall be equal and uniform."

The members of the Committee shall receive no compensation for the performance of their services as members of the Committee, but they shall receive during the time they actually serve their travelling ex-

penses and other necessary expenses, including hotel, telegraph, telephone, postage and express expenses incurred in the discharge of their duties, and the Committee shall be authorized and empowered to purchase such stationery and other supplies as may be necessary for the discharge of their duties.

There is hereby appropriated from the contingent fund of the 42nd Legislature the sum of \$5000 or so much thereof as may be necessary for the purpose of defraying the expenses of the Committee hereby created, including publication of ———copies of the Committee report and the distribution of same to the members of the Legislature, and the heads of State Departments, and to such other citizens of the State of Texas as the Committee may decide.

Provided further that all expenditures of such Committee shall be made upon the sworn account of the persons entitled to such pay, when approved by the Committee. The Secretary of the Committee. The Secretary shall file with the State Comptroller of Public Accounts a statement showing in detail the expenditures made by such Committee and the amounts and to whom all payments were made.

ONEAL,  
HARDIN.

On motion of Senator Oneal the resolution was ordered printed in the Journal.

#### Recess.

Senator Hardin moved to recess until 10 o'clock tomorrow morning.

Senator Woodruff moved to recess until 7:30 o'clock p. m.

The motion to recess until 10 o'clock tomorrow morning prevailed by the following vote:

Yeas—20.

Beck.	Oneal.
Berkeley.	Parr.
Gainer.	Parrish.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Small.
Loy.	Stevenson.
Martin.	Thomason.
Moore.	Woodul.
Neal.	Woodward.

Nays—8.

Cunningham.	Poage.
DeBerry.	Purl.
Greer.	Williamson.
Hornsby.	Woodruff.

Present—Not Voting.

Pollard.

Absent.

Cousins.

Absent—Excused.

Patton.

At 3:57 o'clock p. m. the Senate recessed.

#### APPENDIX.

##### Petitions and Memorials.

Edward P. Costigan,  
Colorado.

##### UNITED STATES SENATE

Washington, D. C.

Denver, Colo., April 18, 1931.

Robert Barker, Esq., Secretary of the Senate, State Capitol, Austin, Texas.

Dear Mr. Barker: Further answering your recent telegram, permit me to say that I hope to visit Austin, with Mrs. Costigan, in time to speak on April thirty, if that is agreeable. I am today writing Mr. R. B. Gragg, Commissioner of Labor, to that effect.

If for any reason the suggested date is unacceptable, will you be good enough to wire me at my expense to that effect?

Looking forward with much pleasure to the prospect of making your acquaintance, believe me,

Cordially yours,

EDWARD P. COSTIGAN.

Resolutions Passed by the East Texas County Judges and Commissioners' Association in Convention Assembled in Palestine, Texas, on April 16, 1931.

Whereas, there is pending before the present Legislature of the State of Texas a certain bill seeking to impose upon the Counties of Texas a burden of appropriating additional funds for the care and support of

indigent, old age persons, which appropriations must of necessity come from the General Fund of said counties, and

Whereas, such fund is now in a depleted condition by reason of hundreds of other demands made upon it, and the Commissioners' Courts of said counties are limited by a Constitutional Tax Levy of twenty-five cents,

Therefore, be it resolved by the East Texas County Judge's and Commissioners' Association assembled this the 16th day of April, A. D. 1931 in Palestine, Texas, that it is the sense of this body that such bill should not pass unless the Legislature of Texas supplies funds from the State or authorize the counties to levy additional taxes to take care of the funds necessary in such instances.

Whereas, there is now pending in the House of Representatives of the Legislature of the State of Texas House Bill No. 312, known as the Anti-Warrant Bill, and

Whereas, at this time when the counties of Texas are burdened with many calls and obligations, most of which have been placed upon them by laws passed by the Legislature, and

Whereas, such counties are operating under a tax rate made some fifty years ago, which rate cannot be increased except by a change in the Constitution of the State,

Therefore, be it resolved by the East Texas County Judges and Commissioners' Association, assembled this the 16th day of April, A. D. 1931 in Palestine, Texas, that we oppose such bill unless the Legislature makes some provision whereby said counties may obtain sufficient funds in the carrying on of the County Government and the other things incidental to the progress and welfare of the people of said counties.

Whereas, the General Fund of the smaller counties of this State is in a depleted condition by reason of the increased demands being made upon it by the Legislature of this State,

Therefore, be it resolved by the East Texas County Judges' and Commissioners' Association assembled this the 16th day of April, A. D. 1931 in Palestine, Texas, that we ask the members of the 42nd Legislature not to pass any bills calling

for expenditures out of the General Fund.

Be It Resolved by the East Texas County Judge's and Commissioners' Association assembled this the 16th day of April, A. D. 1931, in Palestine, Texas, re-affirm Resolution No. 1, passed by our convention on February 12th, 1931, which Resolution asked the 42nd Legislature of the State of Texas, now in regular session at Austin, to submit to the voters of Texas a Constitutional amendment providing for an adequate State-wide Bond Issue for the purpose of financing a connected system of State Highways and Refunding to Counties a fair and equitable sum for moneys advanced by such counties on State Highways, such bond issue to be financed by a tax on gasoline or other motor fuel, and not to be a tax on the physical property of the people of the State.

J. G. STRONG, Chairman,  
Resolutions Committee.

#### Committee on Enrolled Bills.

Committee Room,  
Austin, Texas, April 20, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 32 carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

#### Committee on Engrossed Bills.

Committee Room,  
Austin, Texas, April 18, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 544 carefully examined and compared and find the same correctly engrossed.

HARDIN, Chairman.

Committee Room,  
Austin, Texas, April 18, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 280 carefully examined and compared and find the same correctly engrossed.

HARDIN, Chairman.

Committee Room,  
Austin, Texas, April 18, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on En-

grossed Bills, have had S. B. No. 417 carefully examined and compared and find the same correctly engrossed.

HARDIN, Chairman.

Committee Room,  
Austin, Texas, April 18, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 456 carefully examined and compared and find the same correctly engrossed.

HARDIN, Chairman.

Committee Room,  
Austin, Texas, April 18, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 416 carefully examined and compared and find the same correctly engrossed.

HARDIN, Chairman.

Committee Room,  
Austin, Texas, April 18, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 590 carefully examined and compared and find the same correctly engrossed.

HARDIN, Chairman.

Committee Room,  
Austin, Texas, April 18, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 83 carefully examined and compared and find the same correctly engrossed.

HARDIN, Chairman.

Committee Room,  
Austin, Texas, April 18, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 453 carefully examined and compared and find the same correctly engrossed.

HARDIN, Chairman.

Committee Room,  
Austin, Texas, April 18, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 270

carefully examined and compared and find the same correctly engrossed.

HARDIN, Chairman.

Committee Room,  
Austin, Texas, April 18, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 207 carefully examined and compared and find the same correctly engrossed.

HARDIN, Chairman.

Committee Room,  
Austin, Texas, April 18, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 208 carefully examined and compared and find the same correctly engrossed.

HARDIN, Chairman.

Committee Room,  
Austin, Texas, April 18, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 379 carefully examined and compared and find the same correctly engrossed.

HARDIN, Chairman.

Committee Room,  
Austin, Texas, April 18, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 601 carefully examined and compared and find the same correctly engrossed.

HARDIN, Chairman.

Committee Room,  
Austin, Texas, April 18, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 592 carefully examined and compared and find the same correctly engrossed.

HARDIN, Chairman.

Committee Room,  
Austin, Texas, April 18, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills have had S. B. No. 522

carefully examined and compared and find the same correctly engrossed.

HARDIN, Chairman.

#### COMMITTEE REPORTS.

Committee Room,

Austin, Texas, April 20, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 380, A bill to be entitled "An Act amending Article 3773 of the 1925 Revised Civil Statutes so as to provide that judgments shall not become dormant where execution shall have issued on a judgment within ten (10) years after the issuance of a preceding execution and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WOODWARD, Chairman.

Committee Room,

Austin, Texas, April 20, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 377, A bill to be entitled "An Act amending Article 2151, 1925 Civil Statutes, so as to provide that judgments will not become dormant where execution has issued on such judgments within ten years after a judgment was rendered and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WOODWARD, Chairman.

Committee Room,

Austin, Texas, April 20, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 316, A bill to be entitled "An Act amending Articles 8291 and 8392, Title 129 of the Revised Civil Statutes of Texas, 1925, so as to provide that where a testator having a child or children leaves a surviving wife, who is the mother of all of his said children and the principal beneficiary in said last will and testament to the entire exclusion of all of

his said children, that said Articles 8291 and 8292 shall not apply, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WOODWARD, Chairman.

Committee Room,

Austin, Texas, April 20, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 877, A bill to be entitled "An Act providing that in all cases when weekly compensation due an employee or beneficiary coming within the terms and provisions of the Workmen's Compensation Act are paid before becoming due, whether such payment be authorized by the Industrial Accident Board or a Court of competent Jurisdiction, discount shall be allowed for present payment at six (6%) per cent compounded annually; providing further installments of compensation payable to alien beneficiaries not residents of the United States may be commuted and paid according to the terms and provisions of Section 17, Article 8306 Revised Civil Statutes of 1925 and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WOODWARD, Chairman.

Committee Room,

Austin, Texas, April 20, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 1015, A bill to be entitled "An Act to amend Articles 1740 and 1741 of the Revised Civil Statutes of Texas of 1925 and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WOODWARD, Chairman.

Committee Room,

Austin, Texas, April 20, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 555, A bill to be entitled "An Act amending Article 2033 Revised Civil Statutes 1925, permitting citation to be served on the local agents of individual or partnerships supplying gas, water, electricity or other services, to villages, towns and cities and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WOODWARD, Chairman.

Committee Room,  
Austin, Texas, April 20, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 472, A bill to be entitled "An Act to amend Article No. 6626 of the Revised Statutes of Texas 1925 so as to provide the prerequisites for filing and recording maps and plats subdividing or subdividing or resubdividing real estate, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WOODWARD, Chairman.

Committee Room,  
Austin, Texas, April 20, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 842, A bill to be entitled "An Act authorizing the executor or administrator of estates, upon application and order authorizing same, to renew and extend obligations owing to or by such estates; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WOODWARD, Chairman.

Committee Room,  
Austin, Texas, April 20, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 348, A bill to be entitled "An Act amending Art. 3736 R. S. 1925, so that suits may be filed on

sworn accounts, including liquidated money demands on written contracts, and business dealings on which systematic record of accounts has been kept and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass.

WOODWARD, Chairman.

Committee Room,  
Austin, Texas, April 20, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 137, A bill to be entitled "An Act to amend Article 3492 of Chapter 17, Title 54, Revised Civil Statutes of 1925, so as to permit the Court to set apart to the widow or children, if necessity requires, the exempt property, subject to existing liens against the same, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WOODWARD, Chairman.

Committee Room,  
Austin, Texas, April 20, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 119, A bill to be entitled "An Act to amend Article 4200 of Chapter 8, Title 69 of the Revised Civil Statutes of 1925, relating to terms of sale of real estate made by guardians so as to provide that a sale may be made to the equity in land securing an indebtedness; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WOODWARD, Chairman.

Committee Room,  
Austin, Texas, April 20, 1931.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 347, A bill to be entitled "An Act to repeal Article 2450 of

the Revised Civil Statutes of Texas 1925, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WOODWARD, Chairman.

Committee Room,

Austin, Texas, April 20, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 227, A bill to be entitled "An Act to amend Section 1, House Bill No. 36 Chapter 48 of the First Called Session, 41st Legislature relating to citations and notices and the time of return in proceedings in the Probate Court; repealing laws and parts of laws in conflict, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WOODWARD, Chairman.

Committee Room,

Austin, Texas, April 20, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 75, A bill to be entitled "An Act to amend Article 2266, R. S. 1925, regulating appeals in forma pauperis from County and District Courts and Art. 2457 regulating appeals in the same manner from Justice Courts, simplifying the procedure, providing that the affidavit of the party appealing, stating his inability to pay or secure the costs, or any part thereof, shall be prima facie sufficient and conclusive, unless successfully contested by an officer of court, or a party interested; specifying the court, judge or justice of the peace, as the case may be, before whom such contest shall be tried; providing that such an appeal shall not be dismissed for defects or irregularities, either of form or substance, without allowing the party appealing time and opportunity to correct or amend the record in the respect in which it is found defective."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

WOODWARD, Chairman.

Committee Room,

Austin, Texas, April 20, 1931.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Stock and Stock Raising, to whom was referred

S. B. No. 600, A bill to be entitled "An Act creating a lien in favor of lessors of ranch and pasture lands upon the animals pasturing and grazing under lease for unpaid rentals; provision against removal of such animals from leased ranch or pasture until rentals on same are paid; provision for penalties if animals are removed from leased premises before paying the rentals due on same; provision for recording lease contract on ranch and pasture land, and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass.

PARR, Chairman.

#### Pending Special Orders.

Monday after morning call, S. B. No. 279.

Monday after S. B. No. 279, S. B. No. 202.

Monday 2 p. m., S. B. No. 245.

Tuesday after morning call, S. B. No. 31.

Tuesday after S. B. No. 31, S. B. No. 240.

Tuesday after S. B. No. 240, S. B. No. 327.

Thursday after morning call, S. B. No. 92.

Friday after morning call, S. B. No. 481.

Friday after S. B. No. 481, S. B. No. 187.

Friday after S. B. No. 187, S. B. No. 127.

Friday after S. B. No. 127, S. B. No. 93.

Friday after S. B. No. 93, S. B. No. 218.

Monday after morning call, S. B. No. 33.